

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

V.

CRIMINAL CASE NO. 1:17-cr-10120-ADBPALESTINE ACE, et al

SECOND ORDER OF EXCLUDABLE DELAY

In accordance with the Speedy Trial Act of 1974, as amended, this Court hereby orders excludable delay for the time periods and for the reasons checked below.

August 4, 2017
Date

/s/ Donald L. Cabell
U.S. Magistrate Judge

REFER TO DOCUMENT(S) # _____

<input type="checkbox"/>	XA	_____	Proceedings including examinations to determine mental competency or physical capacity	18 U.S.C. § 3161(h)(1)(A)
<input type="checkbox"/>	XC	_____	Trial on other charges against defendant	18 U.S.C. § 3161(h)(1)(B)
<input type="checkbox"/>	XD	_____	Interlocutory Appeal	18 U.S.C. § 3161(h)(1)(C)
<input type="checkbox"/>	XE	_____	Pretrial motions from filing date to hearing or disposition	18 U.S.C. § 3161(h)(1)(D)
<input type="checkbox"/>	XF	_____	Transfer (Rule 20) or Removal (Rule 5) proceedings	18 U.S.C. § 3161(h)(1)(E)
<input type="checkbox"/>	XG	_____	Proceedings under advisement	18 U.S.C. § 3161(h)(1)(H)
<input type="checkbox"/>	XH	_____	Miscellaneous proceedings concerning defendant	18 U.S.C. § 3161(h)(1)
<input type="checkbox"/>	XI	_____	Prosecution deferred	18 U.S.C. § 3161(h)(2)
<input type="checkbox"/>	XJ	_____	Transportation from other district	18 U.S.C. § 3161(h)(1)(F)
<input type="checkbox"/>	XK	_____	Consideration of proposed plea agreement	18 U.S.C. § 3161(h)(1)(G)
<input type="checkbox"/>	XM	_____	Absence or unavailability of defendant or essential government witness	18 U.S.C. § 3161(h)(3)
<input type="checkbox"/>	XN	_____	Period of mental or physical incompetency or physical inability to stand trial	18 U.S.C. § 3161(h)(4)
<input type="checkbox"/>	XP	_____	Superseding indictment and/or new charges	18 U.S.C. § 3161(h)(5)
<input type="checkbox"/>	XR	_____	Defendant joined with co-defendant for whom time has not run	18 U.S.C. § 3161(h)(6)
<input type="checkbox"/>	XU	_____	Time from first arraignment to withdrawal of guilty plea	18 U.S.C. § 3161(i)
<input type="checkbox"/>	XW	_____	Grand Jury indictment time extended	18 U.S.C. § 3161(b)
<input checked="" type="checkbox"/>	XT	<u>7/11/17-9/13/17</u>	Continuance granted in the interest of justice**	18 U.S.C. § 3161(h)(7)(A)

**The Court finds that the interests of justice in this case, *i.e.*, to provide the parties additional time to evaluate the voluminous discovery, seek additional discovery, and for the defendant to consider the need for pre-trial motions, outweigh the best interests of the public and defendant for a trial within seventy days of the filing date of the indictment. I further find that not granting this continuance would deny counsel for both the government and the defendant a reasonable time necessary for effective preparation, taking into account the exercise of due diligence. See 18 U.S.C. § 3161(h)(7)(B)(iv).